

# ARIZONA DEPARTMENT OF VETERANS' SERVICES

## INTERNAL MANAGEMENT POLICY 96-06

SUBJECT: ALTERNATIVE WORK SCHEDULE/FLEXIBLE WORK HOURS

EFFECTIVE DATE: August 1, 1996 (REVISED April 11, 2001)

1.0 POLICY:

It is the policy of the Arizona Department of Veterans' Services to allow employees the option the working a flexible or compressed work schedule, which will still serve the public needs, accomplish the ADVS goals, allow the employee the most favorable working conditions, and help meet the State's air quality goals. All schedules will be developed to ensure compliance with the Fair Labor Standards Act (FLSA).

2.0 PURPOSE:

The Arizona Department of Veterans' Services supports and encourages use of alternative work schedules/flexible work hours by its employees in consideration of their personal lives, to provide better service to Arizona veterans and their families, and to benefit air quality.

3.0 AUTHORITY: This Policy and Procedure is established under the following:

3.1 ARS § 41-604, Duties and Powers of the Director.

3.2 ARS § 41-783-17, Personnel Rules.

3.3 Department of Administration Personnel Rule. R2-5-502.A.

4.0 RESPONSIBILITY:

4.1 It is the responsibility of all Division Administrators and Department or Section Managers to make this procedure available to Commission employees. It is the joint responsibility of all managers, supervisors and employees to assure compliance with its guidelines and directives.

4.2 In approving alternate work hours or flexible work hours, supervisors are responsible for maintaining customer service and coverage, assuring supervision, and maintaining the productivity of the ADVS programs. Supervisors must approve all requests for alternative hours in writing.

4.3 Employees who use an alternative work schedule are responsible for filing an approved "Alternate Work Schedule Request" form through their immediate supervisor to the appropriate ADVS payroll unit.

4.4 Employees will maintain a mature and professional attitude when choosing their schedules. They should not only include their personal needs, but the needs of the ADVS.

4.5 Each separate functional area must be closely monitored by division administrators and supervisors to ensure adequate coverage during all normal working hours.

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- 4.5.1 Division Administrators and Department/Section Managers are responsible for maintaining adequate staff coverage to meet the criteria as stated in this section.
- 4.5.2 Should it be necessary to ensure adequate coverage, division administrators or supervisors may require flex-time employees to revert to a different work schedule. Division Administrators and supervisors may also require alternative work schedules or flex-time employees to change their alternative work schedule or flex-time schedules (either permanently or temporarily) to meet ADVS requirements due to extenuating circumstances or work load requirements.
- 4.5.3 Division Administrators and Department/Section Managers will cross-train employees as needed to ensure that necessary functions have sufficient, effective, adequate coverage.
- 4.6 It is the responsibility of each employee to submit a signed time sheet that reflects actual hours worked.
- 4.7 It is the responsibility of each supervisor to verify actual hours worked by their employees and to so signify by signing the employee's time sheet and submitting it to Payroll.

5.0 DEFINITIONS:

- 5.1 Normal Work Period/Week - This period begins at 12:00 a.m. Saturday and ends at 11:59 p.m. the following Friday.
- 5.2 Alternate Work Period/Week - Any work period other than the normal work week approved by Department of Administration in writing.
- 5.3 Time Sheets - The form that each employee normally signs every two weeks. This form reflects the actual hours worked each day of the pay period or the appropriate leave taken. Actual hours worked will be reflected on all time sheets and signed by all employees, along with signed verification by their immediate supervisors of hours worked.
- 5.4 Flex Day - A weekday (Monday through Friday) on which a full-time employee on an approved Alternative Work Schedule is not scheduled to work.
- 5.5 Human Resources Management System (HRMS) - The State of Arizona automated personnel/payroll system.
- 5.6 Work Week/Day - A seven-day period in which an employee works forty (40) hours: a workday cannot exceed ten (10) hours. Time worked over forty (40) hours in a workweek is considered overtime.
- 5.7 Alternative Work Schedule - A work plan that provides an eighty (80) hour pay period for

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work performed between 6:00 a.m. and 6:00 p.m. other than eight (8) hours per day for five (5) days per calendar week.

- 5.8 Flex Time Schedule - A work plan that provides a forty (40) hour work week for work performed between 6:00 a.m. and 6:00 p.m., other than 8:00 a.m. to 4:30 p.m. with a (30 minute lunch break or 8:00 a.m. to 5:00 p.m. with a one (1) hour lunch break

6.0 PROCEDURES:

- 6.1 This is a voluntary program. It applies to Arizona Department of Veterans' Services employees only and will be accomplished within the commission's prescribed and approved guidelines. Flexible hours of employment and alternative work scheduling will be offered to both Fair labor standards (FLA) exempt (EX), and nonexempt (NE) employees.

6.2 Eligibility:

- 6.2.1 All permanent status, full-time employees, and full-time employees on Original or Promotional Probation, are eligible for the flexible hours of work program. However, whether or not an employee is allowed to utilize a program is a management decision based on current and anticipated workloads and staff availability. Management reserves the right to reject, terminate or modify, whether on a temporary or permanent basis, an employee's work schedule as the Commission's workload demands change.
- 6.2.2 Seasonal, Temporary, Emergency, Contract and ~~Uncovered~~ status employees are not eligible to participate in the Alternative Work Schedule Program. Under singular circumstances with consideration of adequate safeguards to ensure that holidays, leave time, overtime and other concerns are appropriately addressed, the Director of the ADVS may authorize written exception. Employees in the status shown in this paragraph are eligible for flexible work hours scheduling that will provide for different starting, ending and lunch break times within an eight (8) hour per day, five (5) day per week work schedule.
- 6.3 The Arizona Department of Veterans' Services has the responsibility to the public to provide service and coverage during normal working hours. When approving flex-time or alternative work scheduling, supervisor s are responsible for ensuring individual and program productivity and for ensuring that services are available during State business hours, which are from 8:00 a.m. to 5:00 p.m., Monday through Friday except State-approved holidays.
- 6.4 All alternative work schedules must comply with the provisions of ARS § 23-351.C.1, which requires that employees are paid within five (5) working days after the end of the pay period.
- 6.5 An employee who is eligible for compensatory time or overtime will earn that time or overtime after having worked forty (40) hours within a seven (7) day work week.
- 6.6 All alternative work schedules must be consistent and be based on a forty-hour work week.

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All work schedules provide a full-time employee a minimum of thirty (30) minutes and maximum of sixty (60) minutes to utilize a lunch-break for each day. The lunch break must be scheduled as either thirty (30) or sixty (60) minutes, beginning and ending between 11:00 a.m. and 2:00 p.m. A lunch break is not optional, and cannot be used by the employee as a work period to shorten the workday.

- 6.7 All flex-time days scheduled will begin no earlier than 6:00 a.m. and no later than 9:00 a.m.
- 6.8 All flex-time days scheduled will end no earlier than 2:30 p.m. and no later than 6:00 p.m.
  - 6.8.1 Any changes or arrangements of scheduling to accommodate meetings or training must be requested in writing by the employee and approved in writing in advance whenever possible by the employee's immediate supervisor and the Division Administrator.
  - 6.8.2 Schedule adjustment periods will be during the pay period prior to the first full pay period in January, May, and September.
  - 6.8.3 During schedule adjustment times, any changes made to a schedule will be coordinated with employee's immediate supervisor, Department/Section manager and Division Administrator.
  - 6.8.4 Extenuating circumstances may alter or negate this commitment, and individual Department/Section Managers and Division Administrators will handle exemptions.
  - 6.8.5 New alternative work schedules will start only at the beginning of a two-week pay period, after the "Alternate Work Schedule Request" form has been approved by the immediate supervisor and submitted to Payroll. To ensure that adequate notice is given to Payroll, the completed forms should be submitted, whenever possible, no later than three (3) weeks before the beginning of a new pay period.
- 6.9 A change to alternative work scheduling or flexible hours of employment will not be done to illegally avoid the payment of overtime for hours worked in excess of the forty-hour week. Employees will receive either cash payment or compensatory leave for all hours worked in excess of forty (40) hours in a work week, other than those limited exceptions provided for by federal and state law, in accordance with the State's overtime policy.
- 6.10 For a week, which includes a holiday (8), the employee must either work the additional hours during the same week, or take annual leave or compensatory leave time to make up the difference. **An employee must be in pay status 32 hours during the week a holiday occurs.** Personnel Rule R2-5-402.B., states: "An employee who is regularly scheduled to work on a day on which one of the holidays (falls) . . . is entitled to be absent with pay for the number of hours regularly scheduled to work, not to exceed 8 . . ." This means that an employee can only accumulate 8 hours for that holiday and therefore must work (physically at work or on approved leave) the remaining 32 hours in the week. Therefore, for a week, which includes a holiday, the employee must comply with one of the following:

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6.10.1 Revert to a regular eight-hour (8), five-day (5) work week for the entire two-weeks (2) pay period.

6.10.2 Make up the lost time by working additional hours during the week.

6.10.3 Take annual leave time or compensatory leave time to make up the difference.

6.11 An employee may not receive more than eight (8) hours of holiday compensation for any one-holiday. If the holiday is a day which is normally a "flex day" the employee must take time off another day in the same work week as the holiday or obtain supervisory approval for paid overtime.

6.14 Meetings and Training:

6.14.1 Employees working alternative work schedules or flexible work hours may be required to change their work schedules as necessary to accommodate for attendance at scheduled meetings or to participate in assigned training.

7.0 AVAILABLE WORK SCHEDULES:

7.1 Employees whose work weeks end at midnight on Fridays:

7.1.1 Five eight-hour days per week - 8:00 a.m. to 5:00 p.m. with one hour for lunch.

7.1.2 Five eight-hour days per week with Adjusted Work Hours - This is the Flexible Hour Scheduling Plan providing various beginning and ending times. Workdays may begin between 6:00 a.m. and 9:00 a.m. and end between 2:30 p.m. and 6:00 p.m. with a lunch break of thirty (30) minutes or one hour. Although this plan provides the option to tailor each workday's hours through the week, the plan requires written approval by the employee's immediate supervisor and Division Administrator.

7.1.3 Four nine-hour days and one four-hour day per week - An employee under this schedule works a total of forty (40) hours per week, but works nine (9) hours per day for four days in order to have a half-day (4 hours) off on the fifth day. The four hours off must be taken only upon completion of the 40-hour work week to ensure that the employee can take the time off without falling below the 40-hour work week and losing leave time or requiring overtime.

7.1.4 4/10 Plan - A full time employee works ten (10) hours per day for four (4) days per calendar week, for a total of 80 hours per two-week pay period.

7.1.4.1 Within a two-week pay period the same weekday will be selected as the day taken off for both weeks.

7.1.4.2 Annual or sick leave on a scheduled workday will be charged as ten (10)

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hours of leave.

**7.2**     Employees whose work-weeks end at noon on Fridays:

7.2.1     9/80 Plan - A full-time employee works nine (9) hours per day for eight (8) days and eight (8) hours for one day, per pay period, for a total of eighty (8) hours for the two-week pay period.

7.2.1.1   Within a two-week pay period, the first Friday will be the one eight (8)-hour day and any scheduled day in the following week will be taken off.

7.2.1.2   Employees may elect to have flexible hour schedules under this plan to provide for starting and ending times between 6:00 a.m. and 6:00 p.m. in the same manner as employees under the eight hours per day, five days per week flexible hour scheduling.

7.2.1.3   Annual or sick leave on a scheduled work day will be charged at nine (9) hours of leave when taken on scheduled 9-hour day and at eight (8) hours of leave for an 8-hour day.

7.2.1.4   To start a 9/80 Plan, the employee must work nine (9)-hour days Monday through Thursday and eight (8) hours Friday of the first full calendar week of the pay period. The employee must then work any four (4) scheduled nine (9)-hour days and have one day off during the next full calendar week of the same pay period.

7.2.1.5   The Department of Administration must approve an alternate work week for implementation of the 9/80 Plan, and both weeks of a 9/80 Plan must fall within the same pay period.

**8.0**     **IMPLEMENTATION:** This policy will be implemented without change on the effective date.

Patrick F. Chorpenning, Director

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**ALTERNATIVE WORK SCHEDULE REQUEST**

**TO:**            **PAYROLL**

**FROM:**        \_\_\_\_\_        **SS#**

**DATE:** \_\_\_\_\_ **DIVISION/SECTION/UNIT:** \_\_\_\_\_

With my supervisor's approval, I voluntarily elect the following Arizona Department of Veterans' Services approved alternative work schedule/flexible work hours:

My work week will begin on \_\_\_\_\_ at \_\_\_\_\_ and end on \_\_\_\_\_ at \_\_\_\_\_.

I am requesting an alternate work schedule as follows, to be effective on \_\_\_\_\_, which will be the beginning of a new pay period.

DAILY WORK HOURS

WEEK ONE

WEEK TWO

DAY HOURS

DAY HOURS

\_\_\_\_ HRS \_\_\_\_\_ to \_\_\_\_\_  
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My lunch period will be \_\_\_\_ one hour; \_\_\_\_ thirty (30) minutes. My lunch break will be taken from \_\_\_\_ to \_\_\_\_ each day I am scheduled to work eight (8) hours or more.

I have read and understand the Arizona Department of Veterans' Services Policy on Alternative Work Schedules. I also understand that my supervisor may require termination or modification of this agreement and change my work schedule to meet the workload and needs of my Division.

\_\_\_\_\_  
Employee Signature / Date

\_\_\_\_\_  
Supervisor Signature / Date

cc: Employee  
Supervisor